

JS-6

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

NEW ENGLAND LIFE
INSURANCE COMPANY,

Plaintiff,

v.

ARNOLD SIMON, individually,
ARNOLD SIMON as Trustee of the
Debra A. Simon Family Trust,
VINCENT PURITANO, as
Successor Trustee of the Debra A.
Simon Family Trust, and LAUREN
STONE, as Special Administrator of
the Estate of Debra Simon,

Defendants.

Case No. SACV 10-88-CJC
(MLGX)

FINAL ORDER AND
JUDGMENT RE COMPLETE
RESOLUTION AND DISMISSAL
OF CASE

The Court having considered the stipulation of counsel re complete resolution and dismissal of case, and good cause appearing therefor, hereby orders, adjudicates, and decrees as follows:

1. That Michael Purritano is hereby appointed and confirmed as the current, lawful, and only Successor Trustee of the Debra A. Simon Family Trust;

2. That Arnold Simon is hereby found not a trustee, successor or otherwise, of the Debra A. Simon Family Trust, and any claim by him in any capacity to the contrary, and/or any claim by him in any capacity to the Proceeds, is hereby withdrawn by him and shall be denied and dismissed with prejudice;

FINAL ORDER AND JUDGMENT RE COMPLETE RESOLUTION AND DISMISSAL OF
CASE

1 3. That NELICO is permitted and ordered to pay the Proceeds of
2 \$4,503,278.39, plus any applicable interest, to the Debra A. Simon Family Trust, care
3 of Michael Purritano, Successor Trustee, which payment shall be made by check
4 promptly upon entry of this Order and Final Judgment;

5 4. That the Defendants each are restrained from initiating any other action
6 against NELICO for recovery of the Proceeds or any part thereof;

7 5. That NELICO is found to have no further liability beyond those monies
8 paid to the Debra A. Simon Trust, which represents the benefits of the Policy;

9 6. That all parties shall bear their own attorney's fees and costs;

10 7. That this entire action is completely and finally resolved as to all issues
11 and all Parties upon entry of this Order and Final Judgment; and

12 8. That this entire action is dismissed effective 7/7/10, unless trustee
13 Michael Purritano makes prior written ex parte application to this Court, with proper
14 notice and copies to all counsel herein, on the sole basis that the Proceeds have not
15 been paid by NELICO to the Debra A. Simon Family Trust on or before such date.

16 IT IS SO ORDERED.

17 DATED: June 30, 2010



CORMAC J. CARNEY
United States District Judge